

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>UNITED STATES OF AMERICA, and</b>	)	Civil Action No. 3:19-cv-00739
<b>the STATE OF TENNESSEE <i>ex rel.</i></b>	)	JUDGE CAMPBELL
<b>JASON HERNDON, M.D.</b>	)	
	)	
<i>Plaintiffs-Relator,</i>	)	<b><u>FILED UNDER SEAL</u></b>
	)	
<b>v.</b>	)	<b>JURY TRIAL DEMANDED</b>
	)	
<b>NASHVILLE PAIN &amp; WELLNESS</b>	)	
<b>CENTER, PLLC;</b>	)	
<b>MADHU S. YELAMELI, MD,</b>	)	
	)	
<i>Defendants.</i>	)	

**NOTICE OF VOLUNTARY DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1), and under 31 U.S.C. § 3730(b)(1) of the Federal False Claims Act (“FCA”) and TENN. CODE ANN. § 71-5-183 of the Tennessee Medicaid False Claims Act (“TMFCA”), Relator Dr. Jason Herndon by and through his counsel, files this Notice of Voluntary Dismissal of this action **with prejudice** to Relator and **without prejudice** to either the United States or the State of Tennessee.

Counsel for Relator has conferred with counsel for the United States, who has indicated that the United States consents to the dismissal of this action without prejudice to the United States. Relator’s Counsel understands that the United States will submit a separate written consent to the dismissal and a motion addressing the unsealing of this case. Counsel for Relator has also conferred with counsel for the State of Tennessee, who has indicated that Tennessee consents to the dismissal of this action without prejudice to the State of Tennessee.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1), and subject to the consent of the United States and the State of Tennessee under the FCA and TMFCA, Relator requests that the Court enter a dismissal of this action with prejudice to Relator and without prejudice to the United States or Tennessee.

Dated: December 21, 2022

Respectfully Submitted,

/s/ Seth M. Hyatt  
David Rivera (TBR # 24033)  
Jerry E. Martin (TBR # 20193)  
Seth M. Hyatt (TBR # 31171)  
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*Attorneys for Plaintiff-Relator*

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of December 2022, a copy of the foregoing Notice of Voluntary Dismissal was filed by e-mail with the Clerk's Office per the standing instructions of the Court. A service copy was served via First Class U.S. Mail, postage prepaid, and/or via email on the following:

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/s/ Seth M. Hyatt  
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